

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)

UNITED STATES OF AMERICA	)	
	)	
v.	)	Case No. 1:18-CR-457 AJT
	)	
BIJAN RAFIEKIAN,	)	
	)	
Defendant.	)	

**NON-PARTY COVINGTON & BURLING LLP'S  
RESPONSE TO DEFENDANT RAFIEKIAN'S MOTION FOR *IN CAMERA*  
INSPECTION OF ATTORNEY-CLIENT COMMUNICATIONS**

Non-Party Covington & Burling LLP ("Covington") respectfully submits this response to Defendant Bijan Rafiekian's Motion for *In Camera* Inspection of Attorney-Client Communications, Dkt. No. 157.

Defendant seeks *in camera* review of 27 documents from which Covington redacted information in the course of Covington's production of tens of thousands of documents in response to Defendant's subpoena. The redacted passages are not responsive to Defendant's subpoena because they are not part of Covington's Flynn Intel Group Inc. ("FIG") client file regarding the March 2017 FARA filing, but rather pertain only to Covington's separate representation of Michael T. Flynn in other matters. While Covington no longer represents FIG or General Flynn, who are now represented by separate counsel, Covington understands that General Flynn continues to assert his attorney-client and attorney work product privileges regarding the redacted passages.

If the Court orders *in camera* review, Covington will provide the 27 unredacted documents directly to chambers for *in camera* review. Covington respectfully requests that if, upon the Court's review, it is not clear to the Court that all of the redacted passages are outside

the scope of the subpoena, the Court should allow Covington and/or General Flynn's new counsel an opportunity to address the Court, *ex parte*, prior to the Court's decision regarding the redactions.

June 11, 2019

Respectfully Submitted,

/s/ Daniel E. Johnson

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**CERTIFICATE OF SERVICE**

I, Daniel E. Johnson, hereby certify that on the 11th Day of June 2019, I electronically filed the foregoing using the CM/ECF system, which will send a notification of such filing to counsel of record.

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